

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DARNELL MCGARY,

Plaintiff,

v.

KELLY CUNNINGHAM et al.

Defendants.

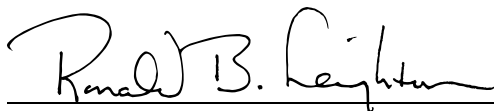
CASE NO. C13-5130 RBL-JRC

ORDER

The Court having reviewed the Report and Recommendation of the Hon. J. Richard
Creatura, objections to the Report and Recommendation, if any, and the remaining record, does
hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The State defendants' motion to dismiss, ECF No 44, is granted in part and denied in part consistent with the Report and Recommendation. Defendants Buder and Inslee are dismissed from this action with prejudice. Defendant Cunningham's motion to dismiss is denied.

DATED this 1st day of November, 2013.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE